

REMARKS

The Office Action dated August 25, 2005, has been carefully considered. Claims 1-30 are currently pending. New Claims 28-30 have been added. Applicant appreciates the Examiner's indication that Claims 23-27 are allowable. Applicant requests that the Examiner consider the above amendments and the following remarks, and pass the application to allowance.

35. U.S.C. § 103:

Claims 12 and 19-21 were rejected under 35 U.S.C. 103(a) as being unpatentable over Ozawa (U.S. Patent No. 6,332,680) in view of Cummins et al. (U.S. Patent No. 6,760,052).

Claim 12 recites a receptacle adapted to receive a disk from a conveyor surface comprising: a housing comprising a guide member, at least one support member, and a base member; a removable hopper adapted to receive the disk from the guide member, the hopper comprising a spindle attachable to a base, wherein the spindle is adapted to receive a plurality of disks from the guide member; and wherein the guide member guides the disk from the conveyor surface onto the spindle.

Ozawa relates to a printing apparatus having an ink-jet printer, a reciprocating medium tray for conveying a medium to be printed by the printer, a medium feeding mechanism, and a medium retrieving mechanism. As shown in FIG. 4, the medium retrieving section 61 comprises a cartridge type medium cylinder 611, and an outer case 612 for removably accommodating the medium storage cylinder 611. As the Examiner has indicated, Ozawa does not teach or suggest a hopper having a guide member, wherein the guide member guides the disk from the conveyor surface onto the spindle.

Cummins et al. relates to a disc copying or recording device and a disc label printer, which are mounted in a common assembly. The device includes also includes a completed disc support or hopper 110 which is provided in the center of the frame 12, essentially in alignment with the center bisecting planes of the printer and recorder. Col. 6, lines 44-46. However, as shown in FIG. 9, the chute or ramp 114 is part of the burner or recorder, rather than a part of the housing of the hopper.

Accordingly, since neither Ozawa nor Cummins teach or suggest a housing as recited in Claim 1, with a guide member, wherein the guide member guides the disk from the conveyor surface into the hopper, Claim 1 should be allowable. Claims 19-20 are dependent from Claim 12 and should also be allowable.

Claim 21 recites an in-line marking system comprising: a dispenser for dispensing a markable medium, the markable medium having a central hole; a conveyor belt assembly for receiving the medium and conveying the medium from a first position to a second position; a marking device located between the first position and the second position for marking indicia on the medium; and a receptacle adapted to accept the medium after marking, the receptacle comprising: a housing adapted to receive the medium from the conveyor belt assembly, the housing having a guide member, at least one support member, and a base member; and a removable hopper adapted to receive the medium from the guide member, the hopper comprising a spindle attachable to a base, wherein the spindle is adapted to receive a plurality of mediums from the guide member.

As set forth above, since neither Ozawa nor Cummins teach or suggest a housing as recited in Claim 21 with a guide member, Claim 21 should be allowable.

Claims 1, 2, 5-7, 9-11, 13, 15-17 and 22 were rejected under 35 U.S.C. 103(a) as being unpatentable over Ozawa in view of Cummins et al. (U.S. Patent No. 6,760,052) as applied to Claim 12 above, in view of Wolfer et al. (U.S. Patent No. 6,123,020).

Claim 1 recites a receptacle adapted to receive a disk from a conveyor surface comprising: a housing comprising a guide member, at least one support member, and a base member; a removable hopper adapted to receive the disk from the guide member, the hopper comprising a plurality of posts affixed to a base, a platform adapted to receive the disk from the guide member, and an elastic body positioned between the base and the platform; and wherein the guide member guides the disk from the conveyor surface into the hopper. (Emphasis added).

Wolfer et al. (Wolfer) relates to a disk dispenser to dispense memory storage disks including CD's and the like to a printer. The two guide members (upper guide

60 and lower guide 62) are axially offset from each other so a portion of the rim of the lower guide stops the disks, which may fall through the upper guide towards the lower guide. Col. 4, lines 3-6. Wolfer, however, does not teach or suggest a guide member, which guides the disk from the conveyor surface into the hopper. In fact, in Wolfer, the guide members are configured to separate a single disk from a stack of disks. Col. 3, lines 64-65. Accordingly, since Ozawa, Cummins and Wolfer do not teach or suggest a hopper having a guide member, wherein the guide member guides the disk from the conveyor surface into the hopper, Claim 1 should be allowable. Claims 2, 5-7, and 9-11 are dependent from Claim 1 and should be allowable for the reasons set forth above as to Claim 1. Claims 13 and 15-17 are dependent from Claim 12 and should be allowable also for the reasons set forth above. Claim 22 is dependent from Claim 21 and for the reasons set forth above as to Claim 21, Claim 22 should be allowable.

Claims 5 and 15 have been rewritten in independent form and recite the receptacle of Claims 1 and 15, respectively, wherein the guide member comprises a plate like member having a circular opening adapted to guide the disk into the hopper. As set forth above, none of the cited references teach or suggest a housing having a guide member, wherein the guide member comprises a plate like member having a circular opening adapted to guide the disk into a hopper. (Emphasis added). Accordingly, for the reasons set forth above, Claims 5 and 15 should be allowable.

Claims 3 and 4 were rejected under 35 U.S.C. 103(a) as being unpatentable over Ozawa in view of Wolfer et al. and Cummins et al. as applied in Claim 1 above, further in view of Pottier (U.S. Patent No. 6,494,309).

For the reasons set forth above as to Claim 1, Claims 3 and 4, which are dependent from Claim 1, should be allowable.

Claim 8 was rejected under 35 U.S.C. 103(a) as being unpatentable over Ozawa and Wolfer as applied to Claim 1 above, in view of Dinh et al. (U.S. Patent No. 6,312,522). For the reasons set forth above as to Claim 1, Claim 8, which is dependent from Claim 1, should be allowable.

Claim 14 was rejected under 35 U.S.C. 103(a) as being unpatentable over Ozawa as applied to Claim 12 above, in view of Pottier. For the reasons set forth above as to Claim 12, Claim 14, which is dependent from Claim 12, should be allowable.

Claim 18 was rejected under 35 U.S.C. 103(a) as being unpatentable over Ozawa as applied to Claim 12 above, in view of Dinh et al. For the reasons set forth above as to Claim 12, Claim 18, which is dependent from Claim 12, should be allowable.

New Claims:

New Claims 28-30 are dependent from Claim 21, and for the reasons set forth above, should be allowable.

Conclusion:

It is respectfully submitted that Claims 1-30 are presently in condition for immediate allowance, and such action is requested. If, however, any matters remain that could be clarified by Examiner's Amendment, the Examiner is requested to telephone the undersigned.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: November 15, 2005

By: 76w. 2
Kirk M. Nuzum
Registration No. 38,983

P.O. Box 1404
Alexandria, Virginia 22313-1404
(650) 622-2300